

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: <u>4/9/2015</u>

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X

In re: OXYCONTIN ANTITRUST LITIGATION

04 **MD** 1603 (SHS)

-----X

PURDUE PHARMA L.P., THE P.F.
LABORATORIES, INC. and PURDUE
PHARMACEUTICALS L.P.,

Plaintiffs,

13 **CIVIL** 3372 (SHS)

-against-

JUDGMENT

AMNEAL PHARMACEUTICALS, USA, INC.,
Defendant.

-----X

Whereas this Court having held a bench trial concerning the infringement and validity of the United States Patent No. 8,337,888 (“the ‘888 Patent”), which is associated with the opioid pain reliever OxyContin, and the matter having come before the Honorable Sidney H. Stein, United States District Judge, and the Court, on April 8, 2015, having rendered its Findings of Fact and Conclusions of Law ordering the following: 1. Plaintiffs’ requests for relief is denied; 2. The following declaratory judgment shall enter in favor of Amneal Pharmaceuticals, LLC, and against plaintiffs Purdue Pharma L.P., The P.F. Laboratories, Inc., and Purdue Pharmaceuticals L.P.: Claims 5,7,23, and 24 of U.S. Patent No. 8,337,888 are invalid; 3. Amneal’s counterclaim for declaratory judgment for non-infringement of claims 5,7,23, and 24 of U.S. Patent No. 8,337,888 is denied; 4, No attorneys fees will be awarded, because the prevailing party, Amneal Pharmaceuticals, LLC, has not demonstrated that this is an exceptional case, it is,

ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Findings of Fact and Conclusions of Law, the Court Orders as follows:

1. Plaintiffs’ requests for relief is denied.

2. The following declaratory judgment is entered in favor of Amneal Pharmaceuticals, LLC, and against plaintiffs Purdue Pharma L.P., The P.F. Laboratories, Inc., and Purdue Pharmaceuticals L.P.: Claims 5,7,23, and 24 of U.S. Patent No. 8,337,888 are invalid.

3. Amneal's counterclaim for declaratory judgment of non-infringement of claims 5,7,23, and 24 of U.S. Patent No. 8,337,888 is denied.

4. No attorneys fees will be awarded, because the prevailing party, Amneal Pharmaceuticals, LLC, has not demonstrated that this is an exceptional case.

Dated: New York, New York
April 9, 2014

RUBY J. KRAJICK

Clerk of Court

BY:

Deputy Clerk

**THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON _____**